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RECEIVED

June 20, 2003

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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th Street, S.W.
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary


Re: Notice of Ex Parte Presentation
CS Docket No. 00-30

Dear Ms. Dortch:

On June 19, 2003, Steven Teplitz of AOL Time Warner Inc., Professor William I. Rogerson of Northwestern University, Andrew Long of Wiley, Rein and Fielding and the undersigned spoke by telephone with Dr. Simon Wilkie, Dr. Robert Pepper and Dr. Don Stockdale, all of the Office of Strategic Planning and Policy Analysis, to discuss the above-referenced proceeding. As reflected in our comments and reply comments, we explained that, regardless of whether instant messaging ("IM") is a relevant antitrust market, the evidence over the last two years indicates that AOL is not "dominant" in IM. When asked about the likelihood of IM "tipping" to AOL, Professor Rogerson offered his opinion that, based on the four years of share data in the record, such concerns were without merit.

Pursuant to sections 1.1206(b) of the Commission's rules, an original and one copy of this letter is being filed with the Office of the Secretary. Copies are also being served on the Commission participants in the meeting. Any questions concerning this submission should be addressed to the undersigned.

Sincerely,


Fernando R. Laguarda

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cc: Dr. Simon Wilkie, Office of Strategic Planning and Policy Analysis
Dr. Robert M. Pepper, Office of Strategic Planning and Policy Analysis
Dr. Donald K. Stockdale, Jr., Office of Strategic Planning and Policy Analysis

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